

REMARKS

This is a timely response to an Office Action dated February 11, 2004, providing one month or thirty days from the mailing date of the Office Action, to reply.

In the Office Action, the Examiner stated that the previously submitted amendment dated November 12, 2003 was not fully responsive to the prior Office Action. Namely, with regard to claim 1, the Examiner posited that there is no support in the specification for the word "proximally" in the claim 1 phrase "first and second wings extending proximally from said ball socket", since the specification does not describe which way is proximal and which way is distal.

On February 24, 2004, a telephone interview was conducted with Examiner J. G. Blanco regarding this matter. Applicants' attorney submitted that the term "proximal" has a common and ordinary meaning in the medical art that is consistent with its use in the claim, such that it is inherent in the disclosure, and therefore has the requisite support in the specification. Namely, the term "proximal" relates to a direction toward the patient's heart. However, to improve the clarity of the claim language, it was agreed with the Examiner that the term "proximally" would be substituted with the term "outwardly" in claim 1. It was further agreed that clear support for this change exists in the application.

Applicants note that this change is not submitted for purposes of patentability, is in no way limiting, does not invoke prosecution history estoppel, and in fact, arguably only broadens the scope of this portion of the claim due to the substitution of the word "proximally" with the word "outwardly" in claim 1.

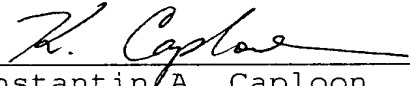
As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that the Examiner telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which the Examiner might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: February 25, 2004

Respectfully submitted,

By 
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